



Grafton Conservation Commission

MINUTES of the GRAFTON CONSERVATION COMMISSION

September 1, 2015

7:00 p.m.

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A meeting of the Grafton Conservation Commission was held in the Finance Committee Meeting Room of the Grafton Municipal Center on September 1, 2015. Present were: Co-Chairperson Sandra Brock, Co-Chairperson John Wilson, Heather Trudell, Peter Finn, Conservation Agent Maria Mast, and Conservation Assistant Leah Cameron. Absent was Kathleen Theoharides.

Co-Chairperson Sandra Brock opened the public meeting at 7:05 p.m.

DEP File # 164-902/WP #735 - Meadow Lane – The Commission discussed the special conditions for the Order of Conditions for Meadow Lane that was issued at the August 18, 2015 meeting. The Commission set special conditions requiring: a dewatering plan (if dewatering proves to be necessary), a copy of the structural design plans, and a detailed sequence of construction phasing and associated schedule (including dewatering procedures). Other conditions were: hydric soils shall be stockpiled onsite and replaced in their original location prior to wetland restoration and seeding and work occurring within wetlands or the stream shall be done during dry conditions (summer months). Heather Trudell made a motion, seconded by Peter Finn to issue the Order of Conditions for Meadow Lane with the special conditions discussed above, as well as their standard conditions. The motion carried unanimously.

August 4, 2015 Meeting Minutes – The Commission reviewed the meeting minutes from August 4, 2015. Peter Finn made a motion, seconded by Heather Trudell, to approve the meeting minutes dated August 4, 2015 as written. Co-Chairperson Sandra Brock was in agreement. Co-Chairperson John Wilson was absent from the August 4, 2015 meeting and thus abstained.

August 18, 2015 Meeting Minutes – The Commission reviewed the meeting minutes from August 18, 2015. Co-Chairperson John Wilson made a motion, seconded by Heather Trudell, to approve the meeting minutes dated August 18, 2015 as written. Co-Chairperson Sandra Brock was in agreement. Peter Finn was absent from the August 18, 2015 meeting and thus abstained.

DEP File #164-599/WP #446 – 2 Institute Road – Request for Certificate of Compliance – The Commission reviewed a Request for Certificate of Compliance for 2 Institute Road. The Conservation Agent visited the site and verified that the work is complete and the site is stable. Peter Finn made a motion, seconded by Heather Trudell, to issue a Certificate of Compliance for 2 Institute Road. The motion carried unanimously.

Request for Determination of Applicability – 48 Brigham Hill Road – David Therrien, the applicant, presented his request to the Commission. He proposed constructing a stairway as a secondary egress to an existing single family home. The stairs will have an 8' x 8' platform at the top and a 3.5' x 3.5' concrete pad at the bottom. Two footings will be dug by hand. He requested that the Commission determine whether the area and/or the proposed work were subject to the Wetlands Protection Act or the Grafton Wetlands Protection Bylaw. The Commission did not make a determination at this time whether the area was considered to be riverfront. Heather Trudell made a motion, seconded by Peter Finn, to issue a negative determination with the condition that the excavated soils be removed to an area outside of the buffer zone. The motion carried unanimously.

Hennessey III – The Commission discussed the Hennessey III property. The Commission decided to send a letter to the Board of Selectmen voicing their concerns that the property be conserved for recreational purposes, especially because of the presence of an Area of Critical Environmental Concern (ACEC) on the site.

DEP File # 164-903 NOI, Application for Grafton Wetlands Bylaw Permit #736 - Michael Quance – 14 Bernard Road (Assessor's Map 55, Lot 59) (Continuation) – The applicant proposed the construction of a single family home, garage, driveway, well, and sewer line connection within a riverfront area. Carol Redden of H. S. & T. Group presented the project to the Commission. She presented revised calculations of 4,122 square feet of disturbance within 100 feet of the riverfront and an additional 2,020 square feet of disturbance between 100 feet and 200 feet from the riverfront. The total proposed disturbance is roughly 6,150 square feet. This is allowed under 310 CMR 10.58 (4) (d) 3. Per prior discussion with the Commission, the plans had been revised to show: the new location of the well, the home being shifted four feet to the north as a result of the well relocation, a four foot stockade fence proposed one foot from the top of the bank, the use of straw bales instead of hay bales, and a culvert roof runoff infiltration system. Peter Finn had concerns about the proposed screen room in the back of the house being only three feet from the proposed fence. He explained that this presents the opportunity for future encroachments into the no disturb area in order to maintain the home and yard. The Commission asked that “no disturb” signs be placed on the proposed fence in order to define the no disturb riverfront area. The Commission set special conditions for: no fertilizer or pesticide use on site, no future expansion of the disturbance beyond the fence line as indicated on the plans, and no future structures or additions on the site. These conditions were set in addition to the Commission's standard special conditions. Heather Trudell made a motion, seconded by Peter Finn, to issue the Order of Conditions for 14 Bernard Road with the special conditions that were discussed. The motion carried unanimously.

Application for Stormwater Management Bylaw Permit # 15-003 – Casa Builders & Developers Corp. – 4 Grist Mill Road & 102 Pleasant Street (Assessor's Map 97, Lot 22A and Assessor's Map 98, Lot 2) (continuation) - The applicant is proposing the construction of a 10-lot residential subdivision consisting of single family dwellings. At the request of the applicant, Peter Finn made a motion, seconded by Heather Trudell, to continue the hearing for 4 Grist Mill Road & 102 Pleasant Street to September 15, 2015. The motion carried unanimously.

DEP File #164-825/WP #663 – 41 Wesson Street – Request for Certificate of Compliance
The Commission received a report from Art Allen of EcoTec, Inc. dated 08/18/2015 stating his findings from visiting the site. He determined that while fill had been placed in the wetland, wetland species have revegetated the area, and he did not find a net loss to the wetland as a result. Despite the work extending beyond what was permitted, Peter Houlden, the applicant, requested a Certificate of Compliance from the Commission since the filing was specific to the driveway area. He would like to resolve the issue of tree clearing separately from the driveway issue. Peter Finn made a motion, seconded by Heather Trudell, to issue a Certificate of Compliance for 41 Wesson Street. Co-Chairperson Sandra Brock was in agreement. Co-Chairperson John Wilson was opposed, believing that closing out the filing and hoping the applicant returns for the tree clearing issue creates potential issues for future owners of the property if the tree clearing issue is not resolved. The Commission requested that the applicant come to the September 15, 2015 meeting to begin resolving the tree clearing issue, otherwise the Commission would have to issue an Enforcement Order.

Peter Finn made a motion, seconded by Heather Trudell, to adjourn at 8:23 PM. The motion carried unanimously.

Documents discussed located in the Conservation Commission office:

Orders of Conditions & Grafton Wetlands Bylaw Permits for: Meadow Lane culvert & 14 Bernard Road

Meeting Minutes of August 4, 2015 & August 18, 2015

Request for Certificate of Compliance & Certificate of Compliance for: 2 Institute Road

Request for Determination of Applicability & Determination of Applicability for 48 Brigham Hill Road

Notice of Intent & Application for Grafton Wetlands Bylaw Permits for: 14 Bernard Road

Application for Stormwater Management Bylaw Permit # 15-003

Request for Certificate of Compliance & Certificate of Compliance for 41 Wesson Street

EcoTec, Inc. report dated 08/18/2015 re: 41 Wesson Street

Notices of Public Hearings for: 48 Brigham Hill Road RDA, 14 Bernard Road NOI, & 4 Grist Mill Road Stormwater Bylaw Permit

Agent's Report to the Commissioners dated September 1, 2015

Minutes drafted by Leah Cameron

Approved on September 15, 2015